



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 497** HLS 11RS 265

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: May 6, 2011	9:50 AM	Author: WOOTON
Dept./Agy.: Corrections		
Subject: Crime of Extortion		Analyst: Matthew LaBruyere

CRIME

OR INCREASE GF EX See Note

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Provides with respect to the crime of extortion

Proposed legislation retains present law and adds three types of threats to constitute extortion: 1) a threat to take or withhold action as a public official or cause a public official to take or withhold action; 2) a threat to testify or provide information or withhold testimony or information with respect to another's legal claim or defense; and 3) a threat to perform any act which would not, standing alone, substantially benefit the actor but which is calculated to substantially harm another person with respect to his health, safety, business, vocation, career, financial condition, reputation, or personal relationships.

EXPENDITURES	2011-12	2012-13	2013-14	2014-15	2015-16	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

REVENUES	2011-12	2012-13	2013-14	2014-15	2015-16	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

The proposed legislation may result in an increase in state general fund expenditures if a defendant is convicted of extortion. The exact fiscal impact of the passage of this legislation is indeterminable, since it adds new threats of extortion to the current list and it is not known how many individuals will be convicted of this crime. However, any offender sentenced to the custody of the Department of Public Safety and Corrections increases expenditures by \$55.78 per day per offender in state facilities since existing law provides for hard labor.

According to the Department of Corrections, there are currently 11 offenders incarcerated for extortion with an average sentence of 19.96 years. In 2010 there were 8 admissions with an average sentence of 2.8 years and 4 releases with an average time served of 2.0 years.

For illustrative purposes, for each defendant that is convicted for any of the new types of threats, the cost to incarcerate the offender for a year in a state facility would be \$20,360 (1 offender x \$55.78 per day x 365 days).

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.